

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**DINA CAPITANI**

**Plaintiff**

**v.**

**WORLD OF MINIATURE BEARS, INC.,  
individually, and d/b/a MINIBEARGEMS,  
and MINI BEAR GEMS, and  
MINIBEARGEMS & GIFTS, INC.,  
individually, and d/b/a MINIBEARGEMS  
and MINI BEAR GEMS**

**Defendants.**

**Civil Action No. 3:19-cv-00120**

---

**MOTION TO NON-SUIT COUNTERCLAIM BY DEFENDANTS**

---

COMES NOW the Defendants, World of Miniature Bears, Inc. and MiniBears Gems & Gifts, Inc., by and through counsel, pursuant to Fed. R. Civ. P. Rule 41, and hereby requests the Court grant their motion to nonsuit the counterclaim against Plaintiff, without prejudice. In support of this request, Defendants seek to narrow the issues before the Court at trial. A memorandum in support of this request is attached.

Respectfully submitted,

/s/ Desireé J.C. Goff

John A. Beam, III (# 11796)

Desireé J.C. Goff (#31136)

709 Taylor Street

P.O. Box 280240

Nashville, TN 37228

Telephone: 615-251-3131

Facsimile: 615-252-6404  
Attorneys for Defendants

**CERTIFICATE OF SERVICE**

I hereby certify that on July 24, 2020, I electronically filed the Motion to Nonsuit Defendants Counterclaim with the Clerk of this Court using the CM/ECF system which will automatically send email notification of such filing to the following parties who are CM/ECF participants:

Autumn L. Gentry, Esq.  
Dickinson Wright, PLLC  
424 Church Street, Suite 800  
Nashville, Tennessee 37219  
Attorney for Plaintiff Capitani

/s/ Desireé Goff  
Desireé Goff